

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CHARLES DAVIN WILLIAMS,	:	Case No. 1:16-cv-889
	:	
Plaintiff,	:	Judge Timothy S. Black
vs.	:	Magistrate Judge Stephanie K. Bowman
	:	
REAL SOFT INC.,	:	
	:	
Defendant.	:	

DECISION AND ENTRY:
(1) ADOPTING THE REPORT AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE (Doc. 13);
(2) OVERRULING PLAINTIFF’S OBJECTIONS (Doc. 14); and
(3) TERMINATING THIS CASE FROM THE DOCKET

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and on April 3, 2017, submitted a Report and Recommendation. (Doc. 13). On April 13, 2017, Plaintiff timely filed objections (“Objections”).¹ (Doc. 14). On April 24, 2017, Defendant filed a response. (Doc. 15).

¹ The Magistrate Judge recommended that (1) Plaintiff’s complaint be dismissed for failure to state a claim and (2) in the alternative, Plaintiff be required to show cause as to why his *in forma pauperis* status should not be revoked. The only allegations in Plaintiff’s complaint state “[v]iolation of my civil rights discriminated termination of job based on my race, color, and age.” (Doc. 1 at 2). Plaintiff’s Objections do not provide any argument as to why these allegations meet the federal pleading standards as explained in *Bell Atlantic Corp v. Twombly*, 550 U.S. 544, 570 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662, 677-79 (2009). The Court agrees with the Magistrate Judge and notes that this Court has already held these exact same conclusory assertions are insufficient to state a claim upon which relief can be granted. *See Charles Williams v. Luxottica Retail North America, Inc.*, No. 1:16-cv-888, Report and Recommendation (Doc. 4) at 2-3 (S.D. Ohio Sept. 9, 2016) (Litkovitz, MJ), *adopted at* Order Adopting Report and Recommendations (Doc. 6) (Jan. 30, 2017) (Dlott, J).

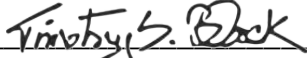
As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court agrees with the Magistrate Judge that the Complaint fails to state a claim upon which relief can be granted and should be *sua sponte* dismissed. Accordingly, the Court adopts the Report and Recommendation and overrules Plaintiff's Objections.

Accordingly:

1. The Report and Recommendation (Doc. 13) is **ADOPTED**;
2. Plaintiff's Objections to the Report and Recommendation (Doc. 14) are **OVERRULED**; and
3. This case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: 5/12/17



Timothy S. Black
United States District Judge